

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

**AMENDED
March 5, 2007**

**C052354 In re T.D. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND
HUMAN SERVICES v. GLENN D. (Not for Publication)**

The March 27, 2006, dispositional orders of the juvenile court are reversed, and the matter is remanded to the juvenile court...

DAVIS, J.

We Concur: Scotland, P.J.
 Nicholson, J.

March 6, 2007

C050869 THE PEOPLE v. FREDERICKSEN (Not for Publication)

The judgment is affirmed.

ROBIE, J.

We Concur: Blease, Acting P.J.
 Butz, J.

C052518 THE PEOPLE v. FAY (Not for Publication)

The purported section 12022, subdivision (b) enhancement is reversed, the sentences imposed for the purported enhancement and the robbery conviction are vacated, and the cause is remanded to the trial court for resentencing. In all other respects, the judgment is affirmed.

SCOTLAND, P.J.

We Concur: Robie, J.
 Butz, J.

C051844 BROWN v. FREEMAN et al. (Not for Publication)

The "Further Order On Defendant's Petition To Compel Arbitration And Motion To Stay Proceedings Until Completion Of Arbitration" filed January 6, 2006, is reversed, and the case is remanded to the trial court for further proceedings consistent with this opinion. Defendants shall recover their costs on appeal...

ROBIE, J.

We Concur: Blease, Acting P.J.
 Nicholson, J.

March 7, 2007

C049683 THE PEOPLE v. SEEBOTH (Not for Publication)

The judgment is affirmed.

SCOTLAND, P.J.

We Concur: Robie, J.
 Butz, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
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The Minutes

March 7, 2007, continued

- C049725 THE PEOPLE v. VASQUEZ (Not for Publication)**
The judgment is affirmed.
ROBIE, J.
We Concur: Blease, Acting P.J.
Butz, J.
- C050332 THE PEOPLE v. MATYE (Certified for Partial Publication)**
The judgment is modified... The trial court is further directed to correct errors in the abstract of judgment identified in part IV of this opinion, *ante*. In all other respects, the judgment is affirmed.
SCOTLAND, P.J.
We Concur: Sims, J.
Nicholson, J.
- C051800 THE PEOPLE v. PEREZ (CERTIFIED FOR PUBLICATION)**
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Sims, J.
Hull, J.
- C052641 THE PEOPLE v. RAUB (Not for Publication)**
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Hull, J.
Robie, J.
- C053348 THE PEOPLE v. GIRON (Not for Publication)**
The judgment is affirmed.
ROBIE, J.
We Concur: Davis, Acting P.J.
Hull, J.
- C050815 SPENCER v. DEPARTMENT OF WATER RESOURCES et al. (Not for Publication)**
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Raye, J.
Robie, J.

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The Minutes

March 7, 2007, continued

- C051608 BACHICH v. BACHICH, JR. et al. (Not for Publication)**
The interlocutory judgment is affirmed. Respondent is awarded costs on appeal...
Blease, Acting P.J.
We Concur: Nicholson, J.
Morrison, J.
- C053219 WALKER-CONROY, El Dorado County Public Guardian, as Conservator, etc. v. TANISHA S. (Not for Publication)**
The judgment (order of appointment) is reversed. Costs are awarded to objector and appellant...
ROBIE, J.
We Concur: Davis, Acting P.J.
Hull, J.
- C047172 CAPEN v. SHWERY as Director, etc., et al.**
BY THE COURT:
Respondent's petition for rehearing is granted. The decision filed on February 8, 2007, is vacated.
BLEASE, Acting P.J.

March 8, 2007

- C049324 THE PEOPLE v. WADE (Not for Publication)**
The judgment is modified to add one additional day of presentence custody credit. As modified, the judgment is affirmed. The trial court is directed to issue an amended abstract of judgment reflecting this modification and to forward a certified copy to the Department of Corrections and Rehabilitation.
BUTZ, J.
We Concur: Blease, Acting P.J.
Robie, J.
- C049976 THE PEOPLE v. WADE (Not for Publication)**
The trial court is directed to prepare an amended abstract of judgment...
The judgment is affirmed.
BUTZ, J.
We Concur: Blease, Acting P.J.
Robie, J.

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STATE OF CALIFORNIA
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March 8, 2007, continued

- C050014 THE PEOPLE v. MITCHELL (Not for Publication)**
The trial court's true finding of appellant's eighth alleged prior conviction is reversed. Appellant's sentence is vacated and the matter is remanded for resentencing. In all other respects the judgment is affirmed.
CANTIL-SAKAUYE, J.
We Concur: Sims, Acting P.J.
 Butz, J.
- C051581 THE PEOPLE v. GOMEZ (Not for Publication)**
The judgment is affirmed.
BUTZ, J.
We Concur: Davis, Acting P.J.
 Robie, J.
- C051968 THE PEOPLE v. THOMPSON (Not for Publication)**
The judgment is affirmed.
CANTIL-SAKAUYE, J.
We Concur: Blease, Acting P.J.
 Raye, J.
- C051574 CONCERNED CITIZENS OF WEST POINT et al. v. WEST POINT FIRE
PROTECTION DISTRICT et al. (Not for Publication)**
The judgment is reversed. On remand the court is directed to vacate the judgment and enter a new judgment dismissing appellants' petition/complaint as moot. Respondents shall recover costs on appeal...
CANTIL-SAKAUYE, J.
We Concur: Sims, Acting P.J.
 Butz, J.
- C052412 JOHL et al. v. SRI GURU NANAK SIKH TEMPLE et al. (Not for Publication)**
The judgment is affirmed. Respondents shall recover their costs on appeal...
CANTIL-SAKAUYE, J.
We Concur: Sims, Acting P.J.
 Butz, J.

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The Minutes

March 8, 2007, continued

C051800 THE PEOPLE v. PEREZ (Not for Publication)

THE COURT:

It is ordered that the opinion filed in this case of March 7, 2007 be modified in the following particulars...

... These modifications do not change the judgment.

FOR THE COURT:

SCOTLAND, P.J.

HULL, J.

March 9, 2007

MISC. ORDER 2007-005

BY THE COURT:

Associate Justice George Nicholson is appointed to serve as Acting Presiding Justice to discharge the duties described in the California Rules of Court, rules 10.1004, 10.1012, and 10.1016, during the absence of the Presiding Justice from the court on Thursday, March 15, 2007, or until his return. (See Cal. Const., art. VI, §3.) The senior member of a panel of the Court is designated the Acting Presiding Justice of that panel during the absence of the Presiding Justice.

SCOTLAND, P.J.

C048542 THE PEOPLE v. SHEPARD (Not for Publication)

The judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Scotland, P.J.

Robie, J.

C050620 THE PEOPLE v. OSBORG, JR. (Not for Publication)

The parole revocation fine is stricken. In all other respects the judgment is affirmed.

BLEASE, Acting P.J.

We Concur: Morrison, J.

Butz, J.

C051485 THE PEOPLE v. DENNY, JR. (Not for Publication)

The judgment is affirmed.

RAYE, J.

We Concur: Scotland, P.J.

Davis, J.

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March 9, 2007, continued

- C051593 THE PEOPLE v. GRIMMETT (Not for Publication)**
The trial court's true findings as to the separate prison term enhancement allegations relating to the second through fourth prior convictions alleged in the amended information are reversed, and the judgment is modified... As modified, the judgment is affirmed... The trial court is further directed to send a certified copy of the amended abstract of judgment to the Department of Corrections and Rehabilitation.
SCOTLAND, P.J.
We Concur: Morrison, J.
Robie, J.
- C048241 THE PEOPLE v. MURPHY**
BY THE COURT:
Appellant's motion to recall the remittitur is granted...
...Janet Gray is reappointed as counsel for appellant in the above proceeding...
... Respondent is directed to serve and file a supplemental letter brief, addressing Cunningham... Appellant may serve and file a reply supplemental letter brief within 10 days of the date the respondent's supplemental letter brief is filed.
SCOTLAND, P.J.
- C049291 THE PEOPLE v. BELLACOSA**
BY THE COURT:
Appellant's request to publish the opinion filed on February 15, 2007, is denied.
SCOTLAND, P.J.
- C049291 THE PEOPLE v. BELLACOSA**
BY THE COURT:
Appellant's request for full publication of the opinion filed on February 15, 2007, is denied.
SCOTLAND, P.J.
- C051356 THE PEOPLE v. JOHNSON**
BY THE COURT:
Appellant's petition for rehearing is denied.
SCOTLAND, P.J.
- C049831 HEALY v. ROSE**
BY THE COURT:
Appellant's petition for rehearing is denied.
BLEASE, Acting P.J.